

CUAUHTEMOC ORTEGA (Bar No. 257443)
Federal Public Defender
GEORGINA WAKEFIELD (Bar No. 282094)
(E-Mail: Georgina.Wakefield@fd.org)
GABRIELA RIVERA (Bar No. 283633)
(E-Mail: Gabriela.Rivera@fd.org)
JULIA DEIXLER (Bar No. 301954)
(E-Mail: Julia.Deixler@fd.org)
Deputy Federal Public Defenders
321 East 2nd Street
Los Angeles, California 90012-4202
Telephone: (213) 894-2854
Facsimile: (213) 894-0081

Attorneys for Defendant
JERRY NEHL BOYLAN

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY NEHL BOYLAN,

Defendant.

Case No. 2:22-CR-00482-GW

**STIPULATION TO EXCLUDE TIME
PURSUANT TO THE SPEEDY
TRIAL ACT**

Trial Date: October 24, 2023

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, United States of America, through its attorneys of record, Assistant United States Attorneys Mark A. Williams, Matthew W. O'Brien, Brian Faerstein, and Juan Rodriguez, and Defendant Jerry Boylan, through his attorneys of record, Deputy Federal Public Defenders Georgina Wakefield, Gabriela Rivera, and Julia Deixler, that:

1. The indictment in this matter was filed on October 18, 2022. (ECF No. 1.) On November 10, 2022, Mr. Boylan appeared on a summons, entered a plea of not guilty, and was released on bond.

1 2. On December 13, 2022, the Court entered an amended order continuing
2 the trial date to July 11, 2023. (ECF No. 19.) On May 9, 2023, the Court entered an
3 order continuing the trial date to September 26, 2023. (ECF No. 52.)

4 3. On July 19, 2023, Mr. Boylan filed an ex parte application asking the
5 Court to continue the September 26 trial date. (ECF No. 60.) The government filed an
6 opposition to Mr. Boylan's request to continue the trial. (ECF No. 62.)

7 4. On July 27, 2023, the Court held a hearing regarding the trial date in this
8 matter. The Court ordered the trial continued to October 24, 2023. (ECF No. 67.) The
9 Court also scheduled the pretrial conference for October 12, 2023. (*Id.*) Finally, the
10 Court ordered the parties to "file a stipulation and order" regarding the Speedy Trial
11 Act. (*Id.*)

12 5. Mr. Boylan requested the continuance based upon the following facts,
13 which Mr. Boylan believes demonstrate good cause to support the appropriate findings
14 under the Speedy Trial Act:

15 a. Mr. Boylan is charged with a violation of seaman's manslaughter
16 under 18 U.S.C. § 1115. The government has produced over 1.2
17 million records in discovery to the defense. Most recently, the
18 government produced nearly 15,000 pages of discovery on
19 July 20, 2023.

20 b. Mr. Boylan's lead counsel, Georgina Wakefield, is scheduled to
21 start a two-defendant 31-count securities fraud and money
22 laundering trial on September 12, 2023, in the case *United States v.*
23 *Aggarwal et al.*, 2:15- CR-00465-TJH. Ms. Wakefield is lead
24 defense counsel in both cases. Both cases are complex and involve
25 voluminous discovery. Accordingly, Mr. Boylan believes that the
26 failure to grant the continuance would have denied him continuity of
27 counsel and adequate representation.

28 6. In light of the foregoing, defense counsel also represent that additional

1 time is necessary to confer with Mr. Boylan, conduct and complete an independent
2 investigation of the case, conduct and complete additional legal research including for
3 potential pre-trial motions, review the discovery and potential evidence in the case, and
4 prepare for trial. Defense counsel represent that a failure to grant the continuance
5 would have denied them the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 7. Mr. Boylan's request to continue the trial date was not based on
8 congestion of the Court's calendar, lack of diligent preparation on the part of the
9 attorneys for the government or the defense, or failure on the part of the attorneys for
10 the Government to obtain available witnesses.

11 8. For purposes of computing the date under the Speedy Trial Act by which
12 defendant's trial must commence, the parties agree that the time period from September
13 26, 2023, to November 21, 2023, inclusive, should be excluded pursuant to 18 U.S.C.
14 §§ 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv) because the delay results from a
15 continuance granted by the Court at Mr. Boylan's request on the basis of the Court's
16 finding that: (i) the ends of justice served by the continuance outweigh the best interest
17 of the public and Mr. Boylan in a speedy trial; (ii) failure to grant the continuance
18 would be likely to make a continuation of the proceeding impossible, or result in a
19 miscarriage of justice; and (iii) failure to grant the continuance would unreasonably
20 deny Mr. Boylan continuity of counsel and would deny defense counsel the reasonable
21 time necessary for effective preparation, taking into account the exercise of due
22 diligence.

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1 9. Nothing in this stipulation shall preclude a finding that the Speedy Trial
2 Act may in the future authorize the exclusion of additional time periods from the period
3 within which trial must commence.
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5 IT IS SO STIPULATED.
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7 Respectfully submitted,
8 CUAUHTEMOC ORTEGA
9 Federal Public Defender

10 DATED: August 9, 2023

11 By /s/ Georgina Wakefield
12 GEORGINA WAKEFIELD
13 Deputy Federal Public Defender

14 DATED: August 9, 2023

15 By /s/ by email authorization
16 MARK WILLIAMS
17 Assistant United States Attorney
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1 I, Georgina Wakefield, am Jerry Nehl Boylan's attorney. I have carefully
2 discussed every part of this stipulation and the continuance of the trial date with my
3 client. I have fully informed my client of his Speedy Trial rights. To my knowledge,
4 my client understands those rights and agrees to waive them. I believe that my client's
5 decision to give up the right to be brought to trial earlier than November 21, 2023, is an
6 informed and voluntary one.

7
8 DATED: August 9, 2023

By /s/ Georgina Wakefield
GEORGINA WAKEFIELD
Deputy Federal Public Defender

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11 I, Jerry Nehl Boylan, have read this stipulation and have carefully discussed it
12 with my attorneys. I understand my Speedy Trial rights. I voluntarily agree to the
13 continuance of the trial date, and give up my right to be brought to trial earlier than
14 November 21, 2023. I understand that I will be ordered to appear in Courtroom 9D of
15 the Federal Courthouse, 350 W. 1st Street, Los Angeles, California on October 24,
16 2023, at 8:30 a.m.

17
18 DATED: August 9, 2023

By /s/ Jerry Boylan (by counsel with permission)
Jerry Nehl Boylan